

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

UNITED STATES OF AMERICA ,

Plaintiff,

v.

BERNARD DOLENZ, *et al*,

Defendant.

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**Civil No. 3:09-CV-1311-O
ECF**

ORDER

Before the Court is Plaintiff's Motion to Strike Answers, Affirmative Defenses, and Counterclaims of the Swiss Avenue House Trust and the Universal Life Church of Texas Trust (the "Motion") (Doc. # 99). This matter was referred to United States Magistrate Judge Jeff Kaplan. *See* Doc. # 29; 28 U.S.C. § 636(b). On January 5, 2010, Magistrate Judge Kaplan issued a Report and Recommendation (Doc. # 103) recommending the Motion be granted. He also recommended that Swiss Avenue House Trust and the Universal Life Church of Texas Trust be permitted thirty (30) days from the date of this order to obtain legal counsel. Bernard Dolenz filed an objection, *see* Doc. # 104 (Objection to the Order of Jan 5, 2010 Striking Jury Demand), but that objection is directed towards Magistrate Judge Kaplan's decision regarding the Government's Motion to Strike Jury Demand. *See* Doc. # 96 (Motion to Strike Jury Demand) and Doc. # 102 (Order regarding same).

After conducting an independent review of the pleadings, files and the Findings and Recommendation of the United States Magistrate Judge (Doc. # 103) and, in accordance with 28 U.S.C. § 636(b)(1), the Court is of the opinion that the Findings and Recommendation of the Magistrate Judge are correct, and they are hereby accepted as the Findings of the Court.

Accordingly, the answer filed on behalf of Swiss Avenue House Trust and the Universal Life Church of Texas Trust (Doc. # 35) is stricken from the record and Swiss Avenue House Trust and the Universal Life Church of Texas Trust have thirty (30) days from the date of this order to obtain counsel to represent them in this case.

SO ORDERED on this **2nd** day of **February, 2010**.


Reed O'Connor
UNITED STATES DISTRICT JUDGE